

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, August 6, 2007, the following members were present:

Greg Jergeson, Chairman
Brad Molnar, Commissioner
Robert H. Raney, Commissioner

Commissioner Mood left his proxy with Commissioner Molnar and Commissioner Toole left his proxy with Commissioner Raney.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(304) In the matter of T-07.33.PCN – On June 27, 2007, Stanford H. Smith dba Floaters, Bozeman, Montana submitted an application for a certificate of public convenience and necessity:

Commissioner Raney moved to grant the application as applied for. Commissioner Molnar seconded the motion, which passed unanimously.

(305) In the matter of the approval of the Commission Minutes for the week of July 30, 2007:

Commissioner Raney moved to approve the Commission Minutes for the week of July 30, 2007. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Jim Payne, Legal Division

(306) In the matter of the Commission's discussion of D2007.7.86 and D2007.7.87 – Gold Creek Cellular dba Verizon Wireless – Ronan and Hot Springs' objection to data request seeking amounts spent on legal fees since 1998 on two federal court cases:

Commissioner Raney moved to sustain the Ronan/Hot Springs' objections to the data requests seeking amounts spent on legal fees since 1998 on two federal court cases and issue a draft order. Commissioner Molnar seconded the motions, which passed unanimously.

APPEARANCE

Martin Jacobson, Legal Division

(307) In the matter of the Commission's discussion of N2007.8.92 – annual certification of ETCs to the FCC and USAC:

Commissioner Raney moved to recommend the approval of the 2006 procedure for annual certification of ETC's to the FCC and USAC for 2007. Commissioner Molnar seconded the

motion, which passed unanimously.

(308) In the matter of the Commission's discussion of D2006.1.2 – PSC, AARP, MDU – review and complaint regarding MDU electric and gas USBs:

Commissioner Raney moved to grant the AARP motion to compel MDU responses for certain data requests in D2006.1.2. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Greg Jergeson, Chairman

(309) In the matter of the Commission's discussion of Midwest ISO Ancillary Services Market Request for Clarification – Pursuant to last week's July 31, 2007 work session, this work session is to again consider whether to join with other OMS members in a Request for Clarification at the Federal Energy Regulatory Commission to ensure that OMS does not fail to exhaust rights to remedies regarding the MISO's cost allocation for its Ancillary Services Market proposal:

Commissioner Raney moved to have Montana join in the OMS comments and to delegate the authority to deal with any amendments offered during the board meeting to Greg Jergeson. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division
Leroy Beeby, Utility Division

(310) In the matter of the Commission's discussion of D2007.5.49 – MCC, MT Assoc., Skyveiw Homeowners – Sale and transfer – Motion to strike:

Commissioner Molnar moved to strike the late prefiled testimony of Larry Marshall, manager of MT Associates, LLC and deny the motion from Montana Consumer Council. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(311) In the matter of the Commission's discussion of out-of-state travel:

Commissioner Molnar moved to approve Scott Fabel's and Gary Duncan's travel to Albuquerque, NM for the New Mexico Center for Public Utilities' "Basic" Course, Oct. 14-19, 2007. Commissioner Raney seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGSON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Judy Scheier,
Assistant Commission Secretary

(SEAL)